



## Jones, E. T. Bristol's petition against the establishment of the Port of Gloucester, 1582

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**Evan T. Jones (ed.), 'Bristol's petition against the establishment of the Port of Gloucester, 1582' (University of Bristol, ROSE, 2011)<sup>1</sup>**

Until the late-sixteenth century the Port of Bristol included within its jurisdiction all the Gloucestershire reaches of the River Severn and its tributaries as far as Worcester.<sup>2</sup> In 1575, however, Burghley, the Lord Treasurer, turned Gloucester into a member port of Bristol, so that it began to account separately to the Exchequer. Following some intense lobbying from Gloucester, which included a number of gifts of silverware to Burghley and the grant of a personal lifetime pension of £5 per year, Gloucester was turned into a headport, receiving its royal patent on 20 June 1580.<sup>3</sup> Bristol responded by petitioning the Queen and she ordered a commission to review the case.<sup>4</sup> The following documents record Bristol's petition against the establishment of the headport (fos. 68-72) and Gloucester's answer (fos. 83-89).<sup>5</sup> Bristol's replication is also recorded, as marginal annotations written to the left of Gloucester's answer. At the end of the document the date 'July 1582' is noted, followed by four names written in Burghley's hand: Sir William Wyntar, Thomas Throgmarton, Richard Pate and Thomas Hannam. On 4 July 1582 these four men were charged with undertaking an Exchequer Commission to investigate the dispute.<sup>6</sup> The main business of the commission took place in January 1583, when depositions in response to four sets of interrogatories were taken in Gloucestershire. Following this, a second commission was ordered on 12 February, charged with taking further depositions based on two additional sets of interrogatories. These depositions were taken in April 1583.<sup>7</sup> The end result of the process was that it was decided that Gloucester would continue to be an independent head port, which it remained until modern times.

Bristol's petition, Gloucester's answer and Bristol's replication are useful not just for the light that they throw on the immediate dispute, but also for what they reveal about the how the port of Bristol functioned before 1580, on the potential for smuggling in the region, and about the arguments as to whether the establishment of the Port of Gloucester would cut down on illicit trading. Beyond this, the documents say much about the nature of the rivalry between the two cities, about the way they saw themselves and about the manner in which they portrayed each other. Lastly, it is possible to infer from the arguments presented in the documents what the two cities believed would be the issues that were most likely to sway the Crown. Apart from the matter of smuggling, these included the likely impact on the economy of the region and the question of whether the establishment of the port would reduce the number of 'serviceable' ships and skilled mariners that would be available to the Crown during time of war.

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<sup>1</sup> The National Archives: Public Record Office, UK [TNA:PRO], SP 46/17, fos. 68-73, 83-89. I would like to thank Margaret Condon (University of Bristol) for her assistance on the transcription of these documents and Peter Fleming (University of the West of England) for his comments on Bristol's foundation myth – as expressed in the city's replication (fo. 83). The following conventions were employed when transcribing the documents: the line spacing, spelling, capitalization, underlining, deletions and punctuation follow the manuscript; reconstructions of suspensions are in italics. Squared brackets indicate editorial additions.

<sup>2</sup> Evan T. Jones (ed.), 'Survey of the Port of Bristol, 1565', (University of Bristol, ROSE, 2011); TNA:PRO, E159/350 *Recorda. Hil.*, rot. 348, *r. d, et seq.*

<sup>3</sup> *Cal. Patent Rolls, 1578-1580*, no. 1338; Duncan Taylor, 'The Maritime Trade of the Smaller Bristol Channel Ports in the Sixteenth Century' (unpublished PhD. thesis, University of Bristol, 2009), pp. 85-6.

<sup>4</sup> TNA:PRO, SP46/32, fo. 250.

<sup>5</sup> The collection also includes another version of Gloucester's response (fos. 73-82), which excludes Bristol's replication. This has not been reproduced, since the text is almost identical to the version given below.

<sup>6</sup> TNA:PRO, E 134/25Eliz/Hil3.

<sup>7</sup> TNA:PRO, E134/25Eliz/East14.

**Bristol's petition against Gloucester**

68r.

- 1 Bristoll was a verie ancient Towne and Countie untill of late that it became a Cytie,<sup>8</sup> Scituated in an Angle betwene the Counties of Somerset and Gloucester, and allwaies stode and yet standeth upon the trade of marchaundize and makynge of Cullored Clothes for the Sea,<sup>9</sup> *which with* their trade of marchaundize they have allwaies sufficiently served, aswell all the Countries adioyninge<sup>10</sup> to ~ the said Cytie, As also all Townes and Countries lyinge upon and nere ~ about the Ryver of Severne and the Creekes<sup>11</sup> of the same, as farre ~ Inwarde towarde the lande, as to the Towne of Shrewesburye ./
2. There liethe South and westwarde adioyninge to the same Cytie, the Countie of Somerset, whose chiefe trade by reason of the porte of Bristoll, is makynge of Cullored Clothes, merchauntable for the Sea, and mynyng for leade,<sup>12</sup> whereof there riseth greate store, Upon *which* trade of marchaundize and Cloth makynge dependeth the lyvinge and mayntenaunce of many thowsandes of Craftes men ~ and their houtholdes: As Spynners, Weavers, Tuckers,<sup>13</sup> Dyers, Shermen<sup>14</sup> Carpenters, Smythes and others, of *which* consisteth no smale parte of the Cytie of Bristoll. /
3. There lythe northwarde upon the said Cytie the Countie of Gloucester, whose state and maytenaunce especially towards the saide Cytie standeth upon grasinge and husbandrye.<sup>15</sup> /
4. There is belonginge to Bristoll betwene Somerset and Gloucester Shiers an auncient and sufficient porte for shippes of all burthens<sup>16</sup> to ride and fleete in,<sup>17</sup> wherein ~ hath ben buylded and mayneteyned from tyme to tyme, As many greate ~ Serviceable Shippes<sup>18</sup> as in any porte in this her *majesties* domynyon (London excepted) And there hath ben broughte and trayned up as many skilfull maryners as to suche Shippinge should belonge and more, *which* serve in dyvers other places.<sup>19</sup> /

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<sup>8</sup> Bristol became a county in its own right in 1373 and was a cathedral city from 1542.

<sup>9</sup> 'Cullored Clothes for the Sea': coloured cloths for the sea – i.e. coloured woollen broadcloth for overseas markets. By this, the city would distinguish itself from London, which focused on the export of undyed cloth for the Netherlands market.

<sup>10</sup> 'Countries adioyninge' – i.e. adjoining counties.

<sup>11</sup> 'Creekes' – in the this sense of the word, lading places and havens that fell under the jurisdiction of a Head Port but where customs officers were not normally resident.

<sup>12</sup> 'mynyng for leade': a reference to the Mendips' lead mines.

<sup>13</sup> 'tuckers' – i.e. fullers of woollen cloth.

<sup>14</sup> 'Shermen': sheermen. Men who 'sheered' broadcloth following the dyeing.

<sup>15</sup> 'grasinge and husbandrye': grazing and husbandry – i.e. pastoral and arable farming.

<sup>16</sup> 'burthens': burdens. The size of merchant ships was determined by their 'tons burden' – i.e. the number of tuns of Bordeaux wine they could carry in their hold.

<sup>17</sup> 'fleete in' – i.e. sail into.

<sup>18</sup> 'Serviceable Shippes' – i.e. ships deemed to be large enough to be capable of service in the navy when required. One hundred tons by naval measure (75 tons burden), was typically held to be the minimum size for such purposes: B. Dietz, 'The royal bounty and English merchant shipping in the sixteenth and seventeenth centuries' *Mariner's Mirror*, LXXVII (1991), p. 6; 'An Act for 'The Maytenaunce of the Navye' (1540), *Statutes of the Realm*, III, pp.374-5, 760-63; 'An Acte towching certayne Politique Constitutions made for the maintenance of the Navye' (1562/3), *Statutes of the Realm*, IV, pp. 422-8.

<sup>19</sup> The maintenance of a large pool of trained mariners, which could be called up to serve in the navy during war, was another enduring policy aim of the Crown, the importance of which had been reiterated the year before Bristol presented its petition: 'An Acte for the encrease of mariners & for the maintenance of Navigacon' (1581), *Statutes of the Realm*, IV, pp. 668-9.

5. There have byn belongine to the said Cytie and porte of Bristoll tyme out of mynde and allowed and conformed aswell by dyvers actes of Parlyament, As also upon greate conference and deliberacion by the ordynaunces of the highe Courte of ~ Exchequier, All the Creekes *which* laye and lyen upon the Ryver of Severn Inwardes towards the lande, As Barkeley, Gatcombe, Newnam, Gloucester Tewkesbery, and all other the Creeks and pilles<sup>20</sup> extendinge as farr upwarde as wigorn,<sup>21</sup> Oute of *which* Creekes, the said Cytie and Citizens had their cheife relief of Victuallinge for their mayntenaunce. /

6. By and throughe the *which* Creekes the saide Cytie had the chiefeste vente of all manner of forreyne marchaundizes,<sup>22</sup> As farr upwarde and Inwarde towarde the lande as Shrewesburye *which* served all other Countries thereunto adjoyninge ./

68v.

7. Oute of *which* saide Cytie, by reason of the trade, porte, Creekes and ~ members of the same, the Queenes *majestie* receyveth yerely for fee farme<sup>23</sup> ~ fifteenes,<sup>24</sup> Customes, Subsidies, ympostes<sup>25</sup> and other Dueties greate somes of money./ All *which* Creekes, upon suggestion of some untryed<sup>26</sup> matter ben of late taken from the saide Cytie and porte of Bristoll, and are become several portes of them selves,<sup>27</sup> to the utter Immynent ruyn of the said Cytie, decaye of the shippinge and maryners, hinderaunce of the Queenes *majesties* Customes; dueties and proffyttes, brynginge and raysinge of greate dearth and scarsytie, Incouraginge and increasinge of pirottes and other greate inconvenyences as by the profes and *probable* reasons hereafter expressed more at Large it will appeare. /

69 r.

8. Gloucester is a greate throughe fare and standeth altogether upon ~ retailors Inne keepers, handycraftes men, maultmakers, Corne Jobbynge<sup>28</sup> usage of husbandry, and is a greate markett, Scituated in the harte of the Country, where greate concourse of people is, for twise A yere they have the assizes, besides quarter Sessions, and sundry other greate meetinges of the whole Countrye.<sup>29</sup> By the meanes whereof, all ~ the aforesaide Citizens have and doe lyve plentifully./ And the Cytie never in better case then nowe it is: There are no *merchautes* there for there is but one free of that late incorporacion graunted by her *majestie* and he is no adventurer.<sup>30</sup> They can mayneteyne no serviceable shippinge or fytt for good marchautes, for none (but suche as are of twenty tonnes

<sup>20</sup> 'pilles': pills – a Bristol Channel term for tidal creeks.

<sup>21</sup> 'wigorn': Worcester.

<sup>22</sup> In other words, it is asserted that it was through its creeks that Bristol sold most of its foreign merchandize.

<sup>23</sup> 'fee farme': fee farm. The right to collect many taxes were farmed out to individuals or groups in return for a fixed rent.

<sup>24</sup> 'fifteenes': The fifteenth. A tax granted by Parliament, equivalent to a fifteenth part of the nominal value of the taxpayer's moveable assets.

<sup>25</sup> 'ympostes': imposts – i.e. taxes on trade imposed by the Crown without parliamentary authority.

<sup>26</sup> 'untryed': untried – i.e. unproven.

<sup>27</sup> Gloucester was established as a separate Head Port in 1580, taking with it the creeks mentioned in Article 5.

<sup>28</sup> 'Corne Jobbynge': corn jobbing – i.e. dealing in grain.

<sup>29</sup> 'Countrye': country – i.e. county.

<sup>30</sup> By 'merchants', the author means those who live solely from wholesale trade, as opposed to those who might also be involved in retail. An 'adventurer' or 'merchant adventurer' was one who lived solely off the profits of overseas trade. This was true of most of Bristol's principal merchants and was, indeed, a requirement of those who wanted to become members of Bristol's Society of Merchant Venturers, founded in 1552.

or under) can come to that place, They make there no Cullored Clothes  
or Clothes for the Sea, Neither have they any tynne leade or other ~  
kynde of marchaundize lafull / So that if they make any ~  
adventure, It muste needes be of Corne and prohibited wares,<sup>31</sup> ~  
Wherebye not only the pore people of the same Countrey, but also ~  
the Cytie of Bristoll are sharpely pynched, and the transporters  
onlye enryched thereby./

9. Gloucester standeth betwene Bristoll and wigone, Warrick Coventrie and ~  
Shrewesbury and all other places upp Severn where the merchauntes  
of Bristoll did usually make their vent<sup>32</sup> of suche Comodyties as they  
bringe from beyonde Seas./ And Gloucester it selfe also is a place where  
they have uttered muche marchaundize/ but nowe if the same contynue a porte  
It is like they will not only serve them selves, but also those other Countreys and  
townes about them, And so the trade in Bristoll (when the vente of their  
Comodytes is taken from them) muste needes be hindered and decayed thereby./
  10. If trade of marchaundize be settled in Gloucester, and a porte contynued there ~  
where no depthe of water is but for smale barks or boates the same wilbe  
An increase of smale boates and barks, and the decaye of so muche greate  
Shippinge in Bristoll./
  11. Since Gloucester was made a porte, they have increased smale barks ~  
and boates to the number of xl<sup>ti</sup> or thereabouts, which are of burden from xv<sup>en</sup>  
tonnes to xxx<sup>ti</sup>, which amonteth by estymacion to a thowsand tonne shippinge and  
doe make voyage and retournes with the same as ofte as they can, which muste  
of necessitye decaye our trades, decrease a greate parte of our serviceable  
shippinge in Bristoll, But what Custome they have paid or benefytt  
her majestie hathe thereby, theire bookes of accompte<sup>33</sup> dothe shewe and beinge  
examyned it will appeare, that so muche greate Shippinge in ~  
Bristoll dothe yelde tenne tymes so muche Custome as they have  
or will yelde /
- 69v.
12. The more ladinge and discharginge places that be allowed of, the ~  
greater wilbe the concealement and stealth of her majesties Customes ~  
and conveyinge awaye of prohibited wares, and therefore was yt ~  
provided for in the xxxiiij<sup>th</sup> yere of Kynge Henry the eight<sup>34</sup> and in ~  
the firste yere of her highenes reigne by acte of parlyamente,<sup>35</sup> ~  
and the ix<sup>th</sup> yere of her majesties reigne by a decree<sup>36</sup> set downe by  
the Lorde threasorer then beinge, and the whole Courte of Exchequier  
That nothinge shoulde be laden or discharged within Severn, but  
onlye at Bristoll and certeyne usuall places whereof the officers  
of Bristoll had speciall charge / As by the same more att  
large dothe appeare. /

<sup>31</sup> 'Prohibited wares' were wares that were routinely subject to export prohibitions, such as foodstuffs, beer and leather.

<sup>32</sup> 'vent' – i.e. sale.

<sup>33</sup> 'bookes of accompte': account books – i.e. the 'port books', which recorded all the overseas trade of each port. Since these were submitted to the Exchequer, they could be used to determine the size of a port's recorded trade.

<sup>34</sup> 'An Act for the Preservation of the Ryver of Severne' (1543), *Statutes of the Realm*, III, pp. 906-7.

<sup>35</sup> 'An Acte limiting the tymes for laying on Lande Marchandise from beyonde the Seas, and touching Customes for Sweete Wynes' (1559), *Statutes of the Realm*, IV, pp. 372-4.

<sup>36</sup> E. T. Jones (ed.), 'Exchequer Decree to turn the Port of Cardiff into a member port of Bristol, 18 June 1567' (University of Bristol, ROSE, 2011) <<http://hdl.handle.net/1983/1699>> accessed 14 Jan. 2011; TNA:PRO E123/3, fos. 191-2.

13. All creekes upon Severn beinge made portes there muste needes be more ladinge and discharginge in sundrye places at one tyme, betwene ~ Bristoll and Gloucester then before, And so still more hinderaunce to her *majestie*, and hurte to the Common Wealthe. /
14. The chiefeste place of ladinge and discharginge for Gloucester, is at A place called Gattcombe, *which* is xvi<sup>en</sup> myles downewardes towardes the Sea before the officers of Gloucester, and neerer to the porte of Bristoll then to Gloucester, and no officer dwellinge nigher then Gloucester, neither is it any towne or populous village to descrye or understande howe her *majestie* is deceyved and the Countrey robbed.<sup>37</sup> /
15. But yf they did make their entries and take oute their Cockettes at Bristoll then should the officers of Bristoll *which* lye betwene that and the Sea have knowledge thereof, and by duetifull care, intercepte and controwle them. /
16. It is muche meeter, and more conveynent that the Creekes of Severne doe belonge to Bristoll than to Gloucester, or to be portes of them selves, ffor Bristoll standeth in nede of, and byn relieved *with* the grayne and victualles *which* Gloucester and the Countries upon Severn doe yelde ~ and abound *with*, the utteraunce thereof enritcheth the riche sorte of ~ the Countrey and robbeth the poore. /
17. Before the said Creekes became portes the Borderars<sup>38</sup> Upon the Welshe Coast came to Bristoll to take out Cockettes<sup>39</sup> to passe to us their Comodyties *which* the Countrey yeldeth, as Leather, Butter, Chese and other, by the *which* meanes they did bestowe money *with* us and nowe are the prises of theis Comodyties greater in those Countries then in Bristoll for nowe they buy their Leather *with* us, As it maye appeare by the Queenes porte books<sup>40</sup> /

70r.

18. Otherwise when they delivered their bookes to the officers of Bristol ~ they were then hable to fynde their disorders and to reforme them, or to ~ *travaile*<sup>41</sup> to them and to staie the passage thereof, *which* nowe theye ~ cannot doe, what neede soever we have for provision of our Cytie, or ~ for the Queenes service into Irelande, or elles where, And so passe ~ the same awaye throughe the newe erected portes under Cullour to ~ come to Bristoll, And a greate *parte* of the same is conveyed by nighte into Shippinge *which* comethe from other portes lyinge in the Welshe rode, joynynge to Kynge Rode, (where we nowe cannot Searche) and there doe caste out their Ballest to the destruction of ~ that rode also.<sup>42</sup>

<sup>37</sup> Gatcombe served as Gloucester's outpost. It lies 12 miles southwest of Gloucester, or 22 miles by water. Gatcombe is 21 miles north of Bristol, or 25 miles by water. The nearest settlements to Gatcombe are Blakeney (1 mile northwest) and Lydney (3 miles southwest).

<sup>38</sup> 'Borderars': borderers. This is presumably a reference to the men of Chepstow and perhaps also Caerleon and Newport.

<sup>39</sup> 'Cockettes': cockets. In this context a customs certificate to allow 'prohibited wares' (e.g. grain) to be sent coastwise.

<sup>40</sup> After 1565 coastal trade was recorded in coastal port books, which were submitted to the Exchequer each year.

<sup>41</sup> 'travaile': travel.

<sup>42</sup> In other words it was claimed that goods passing under coastal cockets granted at Gloucester, for shipment to Bristol, were in fact being laded by night on to ships in the Welsh Road (the Welsh side of the Severn) or the Kingroad (the bay stretching between Avonmouth and Portishead). When such lading took place, the ships cast out their ballast to make room

19. Since Gloucester hath ben A porte, they have restreyned greyne<sup>43</sup> to ~ come to Bristoll, So as when they have occasion, they must travell to Gloucester for a cocket, and ther if they obteyne it, the same is not without greate difficultie, *which* maketh a greate chaunge in the saide Cytie of Bristoll./
20. The Cytie and porte of Bristoll is nowe dismembred of all the auntyent Creekies belonginge to yt, and of the trades of the same, and hath but the very mouthe of the haven to issue out at into Severn./ And so the said Creekies are become portes where no one of them is sufficient of water for a shippe of any service./ But other cheife portes (althoughe inferior to ~ Bristoll) have many and dyvers Creekies belonginge unto them, and yet no towne or porte may spare their Creekies so ill as Bristoll./ ffor their greatest trade is by and throughe their Creekies, And that in tyme muste needes decaye both the Cytie and the serviceable Shippyng of the same. /
21. Irishe men also *with* their Barkes have founde A directe trade to Gloucester, ~ And all to shippe awaye Corne and so wee lose the benefytt of their Comodyties, and the utteringe of *our* owne, *which* is another greate ~ decaye to us./
22. The Serviceable Shippes of Bristoll have and muste serve her ~ *majestie* upon all occasions, And in the meane tyme the smale Barkes of Severn are free, and doe spoyle the Countrie of grayne and victualles for they are in A manner out of comptrollement.<sup>44</sup> /
23. When the Creekies of Severn belonged to Bristoll, then Corne grayne and ~ vicutalles came from thence by Cocket from Bristoll, and then was her *majestie* for the victuallinge of Ireland and for other services *provided* at Bristoll, But ~ nowe her charges upon Severn to provide and gather the same is greate ~ As by the bookes of the purveyor for that service appeareth,<sup>45</sup> And greate exactions ben at Gloucester for Cockettes, and other fees, but her *majesties* Custome verye smale /
- 70v.
24. Aboute xvij<sup>en</sup> yeres paste were taken from Bristoll all the Creekies upon the Coast of Wales, *which* were belonginge to Bristoll, as Swansey Cardif, Newport and Chepstowe, whereof Cardif is made A Chiefe porte,<sup>46</sup> and the other members of the same, ffrom whiche ~ Countries no merchaundize is to be spared but prohibited wares, / And *which* the utteranuce thereof they doe mayneteyne smale shippinge and retourne forreyne Commodityes./ But that hath broughte ~ scarsitie of certeyne kyndes of vicutalles to Bristoll, And also ~ by so muche hindered the trade thereof, Another cause of decay of the saide Cytie, And what Custome her *majestie* hath from ~

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for the grain, which obstructed the roadstead. The casting-out of ballast into the Hungoad and Kingroad by ships taking on grain illicitly was the principal justification for the passing of the 1543 Act: *Statutes of the Realm*, III, pp. 906-7.

<sup>43</sup> 'greyn': grain.

<sup>44</sup> 'out of comptrollement' – i.e. not properly controlled or supervised.

<sup>45</sup> The claim here is that the Queen's purveyor, in gathering grain to ship to the English troops in Ireland, now found it more expensive to gather his goods.

<sup>46</sup> In 1563 John Leek was appointed customer of the newly-established Port of Cardiff, which included all the coast from Chepstow to Swansea: W. R. B. Robinson, 'The establishment of royal customs in Glamorgan and Monmouthshire under Elizabeth I', *Bulletin of the Board of Celtic Studies*, XXIII, Part IV (1970), p. 354.

thence the bookes doe shewe.<sup>47</sup> / A smale matter from a head  
porte /

25. Aboute theis portes and Creekes in Wales of late yeres have ben manye  
pirottes harboured, succored and vitled, and never taken or removed, but  
by the Shippinge of Bristoll, And the inconvenyences thereof did ~  
appeare about xv<sup>en</sup> yeres past to the Lorde Threasoror and Courte  
of Exchequiers, Wherefore, it was by him and the said Courte  
upon great consultacion and throughe debatinge of the matter,  
decreed, That the same shoulde become Creekes and members  
to the porte of Bristoll agayne,<sup>48</sup> But they never obeyed the  
same<sup>49</sup> /

26. In tender consideracion whereof, maye it please *your* honours to have ~  
regarde of the mayntenaunce and contynewaunce of the said  
distressed Cytie, that *without* desert, or other weightye or  
necessarie consideracion, the same be not so dismembred of their  
Creekes and ventes: especially that they shoulde be laide to ~  
A place more unworthie, and utterlye unmeete for so many  
causes to be a porte. / to the ruyn of the said Cytie of ~  
Bristoll, decaye of the Shippinge and maryners, ~  
hinderance of her *majesties* proffites, and apparaunt againste  
the Common Wealthe bothe of the said Cyties and Countries./  
And so muche the rather bycause the Shippinge of Bristoll  
have sufficiently and willingly served her highenes in the  
service of Irelande althoughe to their hinderance/ So as  
by *your* honourable consideracions and meanes to her *majestie*, the  
said Cytie of Bristoll and Countries maye be restored  
to their former estates. /

71rv. [blank]

72r. [blank]

72v. Bristoll against  
Gloucester<sup>50</sup>

<sup>47</sup> For Cardiff's late sixteenth-century trade, as recorded in the overseas port books, see: Taylor, 'The Maritime Trade of the Smaller Bristol Channel Ports', pp. 131-155.

<sup>48</sup> A reference to the Exchequer decree of June 1567, albeit that did not make any reference to pirates – the principal justification for making Cardiff into a member port of Bristol being that this would force the officers of Cardiff to charge the same duties as those applied in Bristol: Jones, 'Exchequer Decree'.

<sup>49</sup> Since the officers of Cardiff were appointed independently by Letters Patent, those in Bristol would not, in practice, have been able to discipline them if they chose not to follow orders issued by the officers in Bristol.

<sup>50</sup> This is written sideways across the folio. The fold lines suggest this was originally the cover of the petition.



## The answer of the Mayor of Gloucester and Bristol's replication

fo. 83r.

[Bristol's replication]

[Brennius the Britayne builded Bristowe A<sup>o</sup> mundi<sup>51</sup> 3574 and it was called Cayer Oder, Nent-Badon.<sup>52</sup> Gloucester was builded by Claudius Cesar the Romain Anno Christi 45<sup>53</sup> Bristowe was incorporated and had liberties by kinge Henry the 2 and it was made a Countie of it self by King Henry the 3.<sup>54</sup>

Yf liberties by kinge John were graunted to the Guylde of the merchauntes of ~ Gloucester, it is very like that the unaptenes of the place and the insufficiencie of the Porte was the cause of the discontinuance of that Guilde and trade there. But it is to be thoughte that it was meante merchauntes retaylers, and not merchauntes venturers Gloucester standeth not upon any trade of merchaundize but of Corne only: neither ~ make theie coloured clothes for the Ocean Sea.<sup>55</sup>

~~Gloucester standeth not upon any trade~~

herein is denyed an open truthe

By decaying or dymynishing of the trade of merchaundize in Brystowe the saide Artificiers must consequently be hindred and decayed ~~at~~ also ./

The answere of the Maior and Burgesses of the Citie of Glouciter to the Articles exhibited by the maior & comynalitie of the Cytie of Bristoll ./

Glouciter is a towne of a greater antiquitie then Bristoll It hathe ben a towne of merchaundize in and ever sithence<sup>56</sup> the tyme of Kyng John,<sup>57</sup> for aswell by him, as by others his successors Kynges of England dyvers liberties hathe ben graunted to the Guilde of merchauntes of the towne of Glouciter, the same towne beinge a<sup>58</sup> Cytie from the begynnyng in the opynion of the kinges of this Realme of greate accompte & reputacion as appeareth by the Cronicles<sup>59</sup> and other authorities and recordes ./

This Citie of Glouciter is a countie of it self situated upon the Ryver of Severne in the harte of Glouciter Shere, and in the myddest<sup>60</sup> of Severne betwene Bristoll and Bewdley, it standeth muche upon the trade of merchuandize aswell in makyinge & sellinge of Clothe as in transportinge and brynginge in dyvers other thinges merchauntable, and the trade of the Cytie of Bristoll nowe no otherwise hindered, then allwaies heretofore accustomedly yt hathe ben./

2 The cheife trade of the Countie of Somerset (beinge of it self a riche and wealthie Countie by reason of the fertilitye of the groundes thereof) dothe not by occassion of the porte of Bristoll stande upon the makyinge of Colored Clothes merchauntable for the Sea. For although in Somerset Shere there are colored clothes made, yet are they for the moste parte solde to the merchauntes of London and other places within the Realme, Also the lyvinge and maytenaunce of suche Craftes men as dependeth upon that trade of merchaundize and Clothe makyinge cannot any waye be hindered by the Custome House of Glouciter, seinge they doe and maye transporte theis clothes from Bristoll beyonde the Seas at their pleasure; without any controllmente or interrupcion of the Cytie of Glouciter. /

<sup>51</sup> Anno Mundi: 'in the year of the world' – a calendar system that starts from the year of biblical creation. Determining the date meant is difficult, since different authorities had different calculations for the date of the Creation.

<sup>52</sup> 'Cayer Oder, Nent-Badon': Caer Odor yn nant Baddon is the Welsh name for Bristol, meaning 'the city of the gorge in the valley of Bath'. Documentary and archaeological evidence suggest that 'Brigstow' (Bristol) was established c.1000 as a trading station next to a bridge over the Avon: M.D. Lobel and E.M. Carus-Wilson, 'Bristol' in M.D. Lobel (ed.), *The Atlas of Historic Towns*, Vol. 2 (London, 1975), pp. 2-3. Bristol's medieval 'origin myth', however, held that it had been built by Brennius, a descendent of the refugees from the fall of Troy: L. Toumlin Smith (ed.), *The Maire of Bristowe is Kalendar by Robert Ricart, Town Clerk of Bristol 18 Edward IV* (Camden Society, V, 1872), pp. 3, 6-10.

<sup>53</sup> A reference to the foundation of the Roman town of Gloucester, following the invasion of Britain by Claudius Caesar in 43 A.D.

<sup>54</sup> Bristol received a series of charters in Henry II's reign and became a county in its own right in 1373: N. D. Harding, *Bristol Charters, 1155-1373* (Bristol Record Society publications, Vol. I, 1930).

<sup>55</sup> 'for the Ocean Sea' – i.e. for overseas trade.

<sup>56</sup> 'sithence': since.

<sup>57</sup> A reference to the extension of the Borough's privileges by King John's Charter (1200).

<sup>58</sup> The clerk appears to have written 'C', but 'a' makes more sense.

<sup>59</sup> 'Cronicles': chronicles.

<sup>60</sup> 'myddest': middle, or middle part. Gloucester lies 33 miles northeast of Bristol and 34 miles south of Bewdley.

It is not alleaged that Brisowe is ~  
hindred by that parte of Gloucester shier  
which ioyneth<sup>61</sup> to Bristowe ./

Yf Shippes of convenient burthen maie  
fleete in the pill of Gatcomb, yet is there  
not water to bring a Shipp laden to *that* place  
conteyning above L tonnes<sup>63</sup> and that ~  
muste be at Springe tydes. /  
Lighters and small boates do not safelye  
passe to discharge their Shippes theire yf  
any tempest or rough water happen to be

Bristowe by reason of their great shipping  
can serve Gloucester and the Countries upon  
Severn *with* their merchaundize better cheape  
then Gloucester can *with* their small barks and  
the caryage for dispersing maketh small  
difference

Gloucester and Westchester for their portes  
stand in one predicament but that the roade  
at Flynt Castell is deeper and more  
sufficient ./

fo. 83v.

Another knowne truthe denied

A matter denied that is not alleaged

But the makers of the Statute did see  
and understande howe necessarie it was  
that Bristowe should survaye them

Yt is not alleaged that her *majestie* is so to be  
restrayend./

It needed not to unyte the Creekes to Bristow  
by Statute when theie were belonging

3. That *parte* of the Countie of Glouciter *which* lieth betwene Bristoll  
and Glouciter, standeth chiefly upon grasinge and husbandry<sup>62</sup> and as  
from that *parte* of the Country of Glouciter, the Cytie of Bristoll contynually  
receyveth greate Comodytie in their *provison* of victualles and suche  
other necessities (of *which* *provisyon* and Comodytie they are no  
waie hindered by her *majesties* graunt lately made to the Cytie of  
Glouciter) So in requitall it were fytt the Cytie of Bristoll should  
cease to contend against her *majesties* graunt made upon greate ~  
deliberacion and good consideracion to the benefyt of her highness Cytie  
of Glouciter *without* their *preiudice*.

4 Shippes of all convenient burthens<sup>64</sup> maye as safely fleete to<sup>65</sup> ~  
Gatcombe<sup>66</sup> x myles from Glouciter as they maye come to Bristoll  
key or to the back of Bristoll.<sup>67</sup> Gatcombe beinge a place where  
floweth as muche and as depe water as dothe at the key or back  
of Bristoll. And barks of xxiiii<sup>ti</sup> ton or more and lighters of greater  
burthen may come at *every* Springe<sup>68</sup> to & from Gatcombe to the keye  
of Glouciter, from where all comodyties maye more aptly and more  
cheaply be dispersed then from Bristoll into all the bowelles of the  
other sheres round about *with* farr easier and shorter traivaile, Also  
the Cytie of Glouciter is two myles nere to Gatcombe where the shippe  
lieth well and in good harbor then the town of Westchester is to  
Flynt Castle<sup>69</sup> where the shippes of Chester doe staye and  
unlade by lighters /

5. The Creekes *which* lien upon the river of Severne inwards ~  
towards the lande as Barkeley, Gatcombe, Newnenam<sup>70</sup> ~  
Glouciter Tewkesbury &c. have not tyme out of mynde ben  
belongine to the Cytie & porte of Bristol, neither were  
suche *persons* (as did lade emboate<sup>71</sup> or discharge any corne or  
grayne at any of the said Creekes to be transported beyonde the  
Seas) enforced or any Custome or lawe to bringe the said  
Corne to the key of Bristoll there to be vewed and a Cockett  
to be had of the Customer of Bristoll for the transportinge thereof  
before the makinge of the Statute made in the xxxiiii<sup>th</sup> yere of the  
reinge of Kinge Henry theighte,<sup>72</sup> *which* statute dothe not unyte  
nor allowe the said Creekes to be *parcell* or belongine to the  
porte of Bristoll, nor dothe restreyne her *majestie* to establishe  
by her graunte a port at Glouciter, and to unite theis Creekes  
*parcell* and belongine to the same porte, nor provideth for the  
restrainte of ladinge or transportinge of any other merchandize

<sup>61</sup> 'ioyneth': joineth.

<sup>62</sup> See n. 15.

<sup>63</sup> 'L tonnes' – i.e. fifty tons burden.

<sup>64</sup> See n. 16.

<sup>65</sup> 'fleete to': fleet to – i.e. sail to.

<sup>66</sup> See n. 37.

<sup>67</sup> The Key / Quay of Bristol was the main place of lading and unloading for great ships. The 'Back' was the area just below Bristol Bridge where the smaller vessels used in the Irish / coastal trade berthed. These were the only two places officially designated for the lading / unloading of overseas goods in the port of Bristol.

<sup>68</sup> 'Springe': Spring tides are the high tides that occur twice-a-month around the time of the new and full moon.

<sup>69</sup> Flint Castle lies eleven miles downriver from Chester on the River Dee.

<sup>70</sup> 'Newnenam': Newnham.

<sup>71</sup> 'emboat' – i.e. to put on board a boat.

<sup>72</sup> See n. 34.

to Bristowe tyme out of mynde before

Yf Gloucester had byn a place meete for ~ the trade of merchaundize and the porte their sufficient there would have byn a porte of ladinge and discharging long before these *lettres patentes* were obteyned.

Gatcombe is xvi myles form Gloucester by water and so much from the roade of Bristowe called Hungrode<sup>74</sup> where the Shippes of Bristowe lye and where the Officers do attende./

Yf Gloucester stode so much upon the trade of merchaundize it is *marvaile* theie never used the same more./ Gloucester alwaies and maie have the use of the Creekes for all necessarye purposes under controlement./<sup>75</sup> The last affirmacion is felte to be untrue.

Bristowe by experience do feale and know the contrarye ./

fo. 84r.

~~Yf Bristowe had so~~

then corne and grayne only, And the statute made in the firste yere of the Queenes *majesties* reigne<sup>73</sup> dothe not enable the porte of Bristoll to enioye these aforesaid Creekes, but dothe ~ evidently declare that her highnes by her graunt or only by Comysion maye assigne & appoint any porte, and annex any Creekes to the same port at her pleasure, And the mischeif of the said estatutes thereby the better *provided* for, and *prevented*/ The decree also made in the Courte of thexchequir in the ix<sup>th</sup> yere of the Queenes *majesties* reigne<sup>76</sup> extendinge chiefly to certeyne Creekes in Wales dothe not prove that any of the Creekes of the Ryver of Severne did apperteyne or of right dothe or oughte to belonge to the porte of Bristoll, but rather proveth the contrary. And althoughe theis Creekes hathe ben without title or righte reputed by the Cytie of Bristoll as Creekes belonginge to the porte of Bristoll, yet that ~ reputacion *without* warrant of lawe or graunte cannot by any Cullor<sup>77</sup> of reason restreyne her *majestie* to erecte & establishe by her *lettres patentes* a port at Glouciter and to unyte theis Creekes to the same port.<sup>78</sup> The Creekes are *within* the County of Glouciter properly belongine to the Cytie of Glouciter and Gatcombe beinge the furdest place of ladinge and discharginge from Glouciter is but x myles distant from the Cytie of Glouciter, and xxi myles distant from Bristoll Glouciter was a towne standinge upon merchantes & merchaundize and had the use of theis Creekes longe before Bristoll was any incorporate towne the Seate of Bristoll beinge of late yeres borrowed of the counties of Glouciter & Somerset to erecte the same a County and a Cytie<sup>79</sup>./ Out of theis Creekes the Cytie and Citizens of Bristoll have their relief of victuallinge for their mayntenaunce as ~ plentifully as ever they heretofore had *without* preiudice ~ or hindaunce of the port or Custome House of Glouceter ./

6 By and throughe the same Creekes the said Cytie of Bristoll hathe the vent of and for all manner of forreyne merchaundizes in as liberall and ample manner as at any tyme hertofore they accustomably have had /

7 Sithence the Queenes *majesties* saide graunte made to the Cytie of Glouciter her highnes hath or oughte to have receyved yerelie suche fee farmes, fifteenes Customes, subsidies ymposites Dueties & somes of money as are due & paieable by the Cytie of Bristoll, Some whereof are certeyne, but the somes of money for Customes and Subsidies her highnes expecteth not otherwise then of righte they are and oughte to be due, And the Citie of Glouciter hathe ben and is also yerely answerable

<sup>73</sup> See n. 35.

<sup>74</sup> 'Hungrode'. This is a stretch of the River Avon, four miles downriver from Bristol and about half-a-mile from the confluence with the Severn. It was an anchorage where the tide-waiters of the Bristol customs office met incoming ships and then either accompanied the ships up to the city or oversaw the transhipment of goods on to lighters for dispatch up to the City for declaration at the customs house.

<sup>75</sup> Bristol thus claimed that use of the Gloucestershire creeks for proper purposes would be allowed, subject to oversight by a Bristol officer. This would presumably be the 'clerk of the creeks' mentioned under Article 13.

<sup>76</sup> See n. 36.

<sup>77</sup> 'Cullor': colour - i.e. pretence.

<sup>78</sup> The point is that while Bristol claimed a historic right to the Gloucestershire creeks, they had no formal title over them. There was thus nothing to stop the Queen from establishing a new port at Gloucester by Letters Patent.

<sup>79</sup> See n. 54.

That encrease of her *majesties* proffittes  
doth decrease the same in *Bristowe*  
The suggestions whereupon the said  
*lettres patentes* were graunted be ~  
apparently untrue, aswell in comendinge  
the sufficiencie of the Creekes to receave  
Shippes of all convenient burthens  
as also in describing the distaunce of  
the places where no portes ~~were~~ were  
and yet sett out meete to be./  
The statue also of xxxiiii *Henry viii* was  
meant (as it semeth) to be defrauded for it is  
not recyted in their suggestion /

Yf ~~Glouc~~ *Bristowe* had so meane a begynnyng, god  
be thanked *Gloucester* is well overtaken

There be in *Gloucester* so many able persons  
for the trade of merchantes that there is  
but one allowed to be a merchant of the  
Southerne trade and he dealeth not  
therein ./<sup>80</sup>

Yf theie of *Gloucester* will use merchandize  
with serviceall Shippes there were lesse  
reason to repyne therat./

The clothes *which* be made in *Gloucester* and  
*Gloucester* shire be for the trade of ~  
Flaunders and Germainy and not  
for the trade through the ocean sea

Yt will appeare by their custome bookes  
wherewith their adventures have byn  
made to the sea./

The merchantes and officers of *Gloucester* doe  
lyve friendly and neighbourly togeather for  
the newe officers of the Custome howse  
& portes there have no fees allowed them.<sup>81</sup>  
*Bristowe* is so cutt off from the Severn that the  
barkes of the newe portes with their Corne  
passe not thorough any liberties of *Bristowe* at all  
~~Cornwall Devon and Wales doe beare the~~  
~~name and retorne certifficates but litle~~

unto her *majestie* for all suche fee farmes fiftene Customes, Subsidies  
ympostes dueties & somes of money as are due and paieable  
by them therefore her *majesties* proffytt cannot be decayed  
but rather encreased by reason that the Creekes allwaies  
parcell of the Countie of *Glouciter* and nowe belonginge to the Cytie  
of *Glouciter* are made parcel of the port of *Glouciter*, neither were  
theis creekes upon suggestion of untryed matter taken ~  
from the Cytie and port of *Bristoll*, to become several portes  
of them selves, to occasion or breede any suche myschief or  
inconvenyence as inconsideratly is set downe The truthe  
whereof will appeare by the matter, the profes and the  
probable reasons in this our answeere hereafter severally alledged

8 As *Glouciter* is an Auncyent towne of greate merchaundize and  
hathe not had his begynnyng contynuaunce and mayntenaunce  
by suche trades as is unsemely and unfytt termes is set downe  
*which* mighte more properly be applied to that other towne  
*which* had a farr meaner begynnyng, So the supposed good  
estate of *Glouciter* havinge in yt many persons hable to used the trade  
of merchaundize, many Clothemen, spyniers weavers and other ~  
pore people, is no reason to let them to become merchantes and to  
trade as merchantes accordingly as longe heretofore their predecessors  
have don./ Suche barkes and boates as in elder tyme had accesse  
to *Glouciter* are still maynteyned, and albeit shippes of greate  
burthen cannot come up to the key of *Glouciter*, yet maye they be  
owners of as good shippes of service as *Bristoll* and if they  
become merchantes to forreyne domynions they of force muste have  
shippes bothe for burthen and for defence and thereby her *majestie*  
and the Realme more strengthened & enrytched, There are  
made in *Glouciter* and *Glouciter* shere greater store of colored  
Clothes and clothes for the Sea, then *Bristoll* & *Somersetshere*  
dothe make. Their adventure is not of Corne and ~  
prohibited wares to the enrichtinge of them selves and the  
pinching<sup>82</sup> of the people of the Country and Cytie of  
*Bristoll* as unsemely alleadged for no Corne passeth out  
of that County *without* speciall lycence and warrant, nor ~  
*without* the knowledge of the Comysioners authorized for ~  
restrainte of Corne, neither can they transporte anye  
prohibited wares by stealthe and *without* knowledge bycause  
there are officers in *Glouciter* resident to loke there into, And  
yf they should escape there; yet they are to passe throughe the  
of Erle *Worcesters* lybertie,<sup>83</sup> who hathe a searcher there  
allwaies attendinge, And yf they might there escape, yet

<sup>80</sup> In 1577 the Spanish Company was granted a royal monopoly over trade to Iberia, most of the members of which came from London and Bristol: P. Croft, *The Spanish Company* (London Record Society publications, Vol. IX, 1973), p. xiii. The statement implies that only one Gloucester merchant was a member of this company and that he was not actively engaged in the trade.

<sup>81</sup> Bristol seems to have been insinuating that, because the Gloucester officers were unpaid and lived in close association with the local merchants, they were more likely to be corrupted.

<sup>82</sup> 'pinching': pinching – i.e. to deprive people of food.

<sup>83</sup> Until 1564 the ports of South Wales fell under the jurisdiction of the Marcher Lords: the Earl of Worcester and the Earl of Pembroke. The Earl of Worcester's liberty included the coast of Monmouth, from Chepstow to Newport, which is presumably what is being referred to here: W. R. B. Robinson, 'Dr. Thomas Phaer's report on the harbours and customs administration of Wales under Edward VI'. *Bulletin of the Board of Celtic Studies*, 24:4 (1972), 492-3. What is slightly odd about Gloucester's statement is that, after 1564, the Welsh ports were incorporated into the Exchequer's customs collection system, with the customer of the port of Cardiff being responsible for the whole coast from Chepstow to Swansea: Robinson, 'The establishment of royal customs'. Legally speaking the 'Liberty' of the Earl of Worcester, at least as far as the collection of customs went, ceased to exist at this point. The statement seems to suggest, on the other hand, that, eighteen years after this, the liberty still had at least a notional existence in the minds of the merchants of Gloucestershire.

~~Corne is landed there~~  
~~Cornwall doth often tymes serve Bristowe~~  
~~with wares~~

fo. 84v.

Cornwall Devon and Wales doe  
 beare the name and Cornwall and  
 Devon do retorne *certificattes*, although  
 litle grayne landed there.<sup>84</sup>  
 Cornwall of late yeres hath served  
 Bristowe *with* Corne and grayne.<sup>85</sup>

More care is to be had of the mayntenaunce  
 of the greate Shippes at Bristowe  
 then of the small barkes and Boates of  
 Severne

Theie are litle furthered by having their  
 Cockettes at Glouc' for every springe<sup>87</sup> by their  
 Trowemen<sup>88</sup> theye used to sende ~~by their~~  
~~Trowmen~~ to Bristowe for Cockettes and had  
 them and so theye do to Gloucester after the  
 same manner but at Gloucester the Cockettes  
 dothe coste them very nere doble so much  
 as theie do at Bristowe /

It cannot be denied but *that Gloucester* were  
 a necessary porte: yf there were water  
 to bringe Shippes thether, and so ~  
 were Coventrye also.<sup>89</sup>

Lett the small barkes serve for *that* purpose in  
 godes name, But lett *Bristowe* be allowed  
 to looke in to the matter, that theie maye  
 be first served, as it is meet & necessary

The maryners of Severne that

muste they after passe throughe the libertie of the officers of  
 Bristoll,<sup>86</sup> So that they cannot possiblie passe *with* ~  
 prohibited wares in suche sort as is surmysed; nevertheles  
*with* warrant and lycence it is very nedefull that some of  
 the greate plenty of Corne in *Gloucister* Shere shoulde be  
 transported to South wales, north wales, Devonshire,  
 Cornwall and Ireland, to supply and helpe the greate  
 necessitye and want of those places, And so it hathe ben  
 hertofore used tyme out of mynde /

9. The merchantes of Bristoll doe, as to fore they did usuallye  
 make their vent of suche Comodytes as they bringe from  
 beyonde Seas to Wigorn,<sup>90</sup> Warric,<sup>91</sup> Coventrie, Shrewesbury  
*Glouciter* and all other places upon Severne, and Shrewesbury  
 nor any of the Countries upward are not letted by *Glouciter*  
 to serve Bristoll but are furthered in havinge their cocket  
 at *Glouciter* in their waye, neither are they served from  
*Glouciter* otherwise then heretofore. / In many respectes it is  
 more likely that theis places will buy their wares at  
 Bristoll then at *Glouciter*, But it is fytt the subiect<sup>92</sup> should  
 have free libertie to buy where he maye buy cheapest  
 And in respecte of Shippinge, mayntenance of marryners  
 or of thestate, it is all one whether the subiectes doe buy at  
*Glouciter* or at Bristoll, Wherefore *Glouciter* beinge so ~  
 necessarie a port for all these other places as is by  
 theire owne article surmysed, it was the more conveniently  
 appointed a port towne, and mete that it should so contynue/

10. Greate shippinge shalbe decayed in Bristoll by meanes  
 of the port in *Glouciter* no more then in London and other  
 portes, Also South Wales and north Wales dothe receyvethe  
 greatest provision of their Corne from *Glouciter* shere, To *which*  
 places, and to the confynes of Scotland, the smale  
 barkes, *partely* in respecte of the shallowe Coastes and ~  
 barred havens,<sup>93</sup> and *partely* in respecte off the smale vente  
 at tymes are used of necessitie as moste meetest and  
 convenyent./ By theis smale barkes are like wise ~  
 transported into Cornwall and other the aforesaide

<sup>84</sup> In other words, it is claimed that, while coastal cockets were being issued for grain to be delivered to Cornwall, Devon and Wales, little of this grain was actually landed there – the implication being that it was being exported fraudulently instead.

<sup>85</sup> If Cornwall was supplying Bristol, this would imply that the price of grain was lower there than in Bristol. If so, this would support the notion that grain shipped from Gloucester to Cornwall under a coastal cocket was likely to be intended for illicit export, rather than the provisioning of Cornwall.

<sup>86</sup> Following the creation of the port of Gloucester, the 'liberty' of the port of Bristol consisted of the Avon and the English side of the Severn Estuary from Aust to Kingroad.

<sup>87</sup> 'every springe' – i.e. at the time of the twice-monthly spring tides.

<sup>88</sup> A trow is a type of flat-bottomed sailing boat used on the Severn.

<sup>89</sup> The statement is sarcastic, in that Coventry lies far from any navigable waterway.

<sup>90</sup> 'wigorn': Worcester.

<sup>91</sup> 'Warric': Warwick.

<sup>92</sup> 'subiect': subject.

<sup>93</sup> A 'barred haven' is one that possesses a sandbank that needs to be passed over to reach the harbour, thereby preventing access to deep-drafted vessels.

use to serve in small Barkes are but  
lytle the fitter to serve in greate  
Shipping, and long voyages for  
service of merchauntes / or any other<sup>95</sup>

places, our superfluous frute and sider,<sup>94</sup> and their fishe  
retorned by them to serve us and the sheres adioyninge<sup>96</sup>  
So by theis smale barkes, the Queenes naturall subiectes  
are preserved from famyne, tillage increased, the people  
kepte in worke, fishermen mayneteyned, And if theis  
smale barkes doe encrease then will there be more ~  
maryners. And so her *majesty* shalbe the better furnished  
in nedefull tymes of service. The Cytie of Glouciter  
sithence this graunte made unto them, hathe not increased  
any one boate, above the nomber they accustomedlye used  
allwaies before, and they mighte at all tymes before the said  
graunte, have used as manye boates as they wolde

fo. 85r.

without denyall or resistance of Bristoll, whereby it evidently  
appeareth, that they erected Custome House at Glouciter is not  
the Cause of this Complaint, but only some particular losse that  
ariseth thereby unto some particuler persones ./

Gloucester hath of late yeares builded  
many newe Barkes of greater ~  
burthen then before theie use to have  
although not serviceable<sup>97</sup>

Howe muche custom the small shipping there  
doth answer, ~~their custome~~ let the  
bookes judge<sup>98</sup>

By the custome howse of Gloucester a ~  
pryuate welth of officers farmers & corne  
merchantes is furdered and eased but the  
rest of the comonwelth aswell of Gloucester  
as Bristowe is hindred thereby.<sup>99</sup>  
And the necessary victuellers of Bristowe gretely  
deseased<sup>100</sup> and troubled /

There is nowe a greater number of  
lading and discharging places, then  
were before by as many as ther Creekes  
turned into Portes, for Bristowe  
merchantes did not lade nor discharge  
in their Creekes

[11] As Glouciter hathe not sithence the same graunte encreased any  
one boate or barke, So the trade of theis boates they have  
is for the moste parte unto Wales & Cornewall, where no  
Custome is due, but suche of their barkes as doe passe ~  
beyond the Seas, they give Custome accordinge to their  
burthens as the other greate shippes doe yelde Custome  
accordinge to the loadinges, So that no Custome is loste, the  
Queenes *majestie* not hindered, the Country muche eased  
and the Common wealthe greatly furthered, by the port  
and Customehouse of Glouciter, Also one hundred tonne  
of smale shippinge increaseth and mayneteyneth more maryners  
then one hundred & forty ton of greate Shippinge dothe,<sup>101</sup>  
And theis maryners of the smale shippinge are readye to  
serve in greate shippinge, otherwise there wold be ~  
very greate want of maryners in the tyme of service ./

[12] There is nowe no greater number of ladinge and discharginge  
places, then were used before this graunte, theis aforesaid  
Creekes were of necessitie used by the tolleracion or appoyntment  
of Bristoll, for ladinge and discharginge places ever sithence  
the makeinge of the saide Statute of the xxxiiiij<sup>th</sup> yere of  
Kyng Henry theighte, the first yere of her highnes reigne  
and ever sithens the makynge of the decree in the article mencionedd<sup>102</sup>  
Wherefore they may nowe more lafully be used for ladinge and  
dischargine places then heretofore havinge officers there of  
purpose beinge so allowed & ordeyned by her *majesties* graunte

<sup>94</sup> 'frute and sider': fruit and cider.

<sup>95</sup> The suggestion is that mariners whose sole experience was of river and coastal boats would not be fit to serve on the Crown's great ships in time of war.

<sup>96</sup> 'adioyninge': adjoining.

<sup>97</sup> 'although not serviceable' – i.e. not fit to serve in the royal navy.

<sup>98</sup> Bristol invites the Exchequer to examine the port books returned by Gloucester, to determine how much trade had been declared since it had become a head port.

<sup>99</sup> The insinuation is that the officers at Gloucester were facilitating the illicit export of grain, to the advantage of farmers, merchants and themselves, but to the disadvantage of the common people, since it was assumed that grain prices would rise as a result.

<sup>100</sup> 'deseased': diseased – i.e. inconvenienced or annoyed.

<sup>101</sup> Since small ships require more men per ton of shipping capacity than large ones, Gloucester's small vessels would employ more men than the equivalent tonnage at Bristol, where the average size of ships was much greater.

<sup>102</sup> See n. 34, 35, 36.

Howe the officers of the newe portes  
do wathe and what conealement  
there is the voyce of the people and  
the scarcitie and dearth of Corne  
and grayne doe shoue. /<sup>104</sup>

Bristowe did of necessite appointe the key  
and Backe of Bristowe to be their places  
of lading and discharging because  
the Creekes of Severne were not able  
to receave their Shippes /.  
It is a strange affirmacion that Gloucester  
keye and Gatcombe are ~~accompt~~ to  
be accompted as convenyent places  
for lading and discharg (as Bristowe is)  
where no Shipp of any convenient  
burthen can come /

fo. 85v.

The Creekes that nowe be made portes  
were not places of ladinge and discharge  
before the *lettres* patentes graunted / And  
so nowe there be more places of ladinge  
and discharging /

And he that was Clarke of the Creekes  
and Searcher before is searcher nowe  
And so no officer in that service encreased.<sup>106</sup>

There is no shipping of merchaundize  
for the sea before it come downe under  
Gloucester Bridge, and for that service there  
was before and yet is a searcher & Clarke  
of the Crekes appointed which was & is sufficient  
in that place . /

The gentlemen that dwell no nere  
be favourable Searchers. /

Greate quantities of graine & leather  
maie be brought to Gatcombe *without*  
passing by the Custome house of ~  
Gloucester or under Gloucester Bridge /

who hathe power thereby to dispence *with* the same estatutes<sup>103</sup>  
And *which* said estatutes doe not abridge her prerogatyve, or  
any waie dishable the same her said highes graunte, nowe  
that there is an other Custome house, and more officers to ~  
wathe thabuse of transportinge *without* Custome, it muste  
followe that there is nowe lesse conealement then before  
tyme, And so the Custome house in Glouciter *within* the remedy  
and intencion of the said estatutes *which* provideth against that  
mischeif for thavaile of her *majestie* . / Also the towne of ~  
Bristoll more for their pryvate gayne then for anye other  
necessary respecte, havinge a Comission founded upon the  
Statute of the first yere of this Queene, and thereby  
appointinge the back & key of Bristoll to be the only  
place of ladinge & discharginge, whereas Gatcombe ~  
Newneham and Glouciter Key hathe ben allwaies accompted  
as convenyent and as fytt a place for that purpose, was ~  
hard dealinge offred by them to the towne of Glouciter to exclude  
the key of Glouciter & Gatcombe, as maye very evidently  
appeare by the contentes of the Certificat made by the  
Comysshioners. /<sup>105</sup>

[13] There are nowe no more ladinge and discharginge places  
then were before, yet as many places of ladinge and  
discharginge at one tyme maye be a hinderaunce to the Quenes  
*majesty*, So when of many places havinge but one ~  
Custome house, there is made another Custome house, and  
more officers, Common reason & experience teacheth lesse  
hinderance or conealement aryseth, and greater benefit  
to her *majestie* and no hurt to the Common wealthe / The  
greatest *parte* of all merchaundize comyng to Bristoll  
are uttered<sup>107</sup> at Glouciter and above Glouciter, and the passage  
thereof throughe Glouciter bridge, And Glouciter and Glouciter  
Bridge standinge upon Severne as london and London ~  
bridge doth upon Thames, and the passage beinge under the  
bridge, nothinge can passe *without* payinge Custome  
the Custome house beinge at Glouciter . /

14 This Article is answered *partely* before, in the answer  
to the iiiij<sup>th</sup> Article. / Gatcombe is inhabited *with* dyvers  
people at the place of discharge; some gentlemen are  
dwellinge nere thereunto, the Searcher there attendethe  
at every Springe,<sup>108</sup> and hathe a deputie contynuallye  
waytinge at that place, no ladinge comethe from  
Gatcombe but muste of necessite passe by the Custome  
House of Glouciter and under Glouciter bridge, So the queenes  
*Majestie* cannot by any meanes be deceived, nor the Country  
hindered. /

<sup>103</sup> The argument was that the same lading places were being used as before but now they were formally recognised and had officers appointed to them.

<sup>104</sup> This seems to imply that there had been recent complaints about high grain prices at this time, which Bristol knew the commissioners would be aware of.

<sup>105</sup> This is presumably a reference to the 1559 commission at Bristol to define the legal quays of the port: TNA:PRO, E122/221/71C.

<sup>106</sup> The suggestion is that the 'clerk of the creeks' had simply changed titles and become the 'searcher' of Gloucester.

<sup>107</sup> 'uttered' – i.e. sold or marketed.

<sup>108</sup> 'attendethe at every Springe': attends around the time of the twice-monthly spring tides.

One officer serveth Gloucester & Gatcomb but litle service can be don after the barkes be under Sailes & passe sodenly though the erle of Worcesters liberties *which* hath no intelligence of their commyng by/ And Bristowe cannot have understanding thereof because theie do not take out their Cockettes or make their entries at Bristowe as theie were wont to do: neither do their barkes passe ~ through the liberties of Bristowe for theie have nowe but the mouth of the haven left them<sup>109</sup>

The searchers of the Crekes and the Searchers of Bristowe must nedes to better service, then the searcher of the Creekes alone /.

The Creekes were not for some parte of them unmeete<sup>111</sup> to belonge to Gloucester yf Gloucester were meete and sufficient to be a porte (as it is not) and also yf theie had not first belonged to Bristowe as theie did ./

Bristowe is served *with* graine and victualles at their pleasure and under their power of restraunte *which* is a greate chaunge *without* any necessary cause /

fo. 86r.

Yf graine and victualles be better cheape at Bristowe then at Gloucester or Tewkesbury where naturally it groweth that argueth an unlawfull waste and ill usage in Gloucester and Tewkesbury, but so was it not before this alteracion.<sup>113</sup>

Where Bristowe endeavored to overthrowe the Custome ~~house~~ howse erected at Cardiff in Wales yt was ordered by the righte honorable Lord Tresurer that then was And the right honorable Sir Walter Milday<sup>115</sup> & the Lord Chief Baron & the whole Court of Exchequier upon great advisement that the same Creekes in Wales should belonge

15 But seeinge all ladinge that passeth from Glouciter and under Glouciter bridge is nowe searched and entred in ~ Glouciter, and agayne at Gatcombe, and after in the Erle of Worcesters lybertie and lastly in Bristoll who are not letted from makinge newe searche *within* their office passinge from Gatcombe to the Sea,<sup>110</sup> It followeth, the Queenes ~ *majestie* cannot nowe so easily be deceived as before she was when the Custome house was only at Bristoll, Bristoll standinge in a Creeke vii myles from the Channell of Severne, *which* leadeth from Glouciter to the Sea, By *which* occasion many thinges passed by Bristoll before *without* Custome though the officer had carefully don his Duetie./

16 It is farr better and more conveynent that theis Creekes of Severne scituated in the Country of Glouciter and of their owne nature never and more properly belonginge to Glouciter then unto Bristoll should be restored & contynue to the Cytie of Glouciter *which* of righte oughte to enioye<sup>112</sup> them, and nowe standeth in nede of them, and hereby Bristoll no worse served and relieved *with* such grayne and victualles as Glouciter and the Countries upon Severne yeldeth./ For all men are apte to seeke utteraunce ~~for~~ of their Comodyties, and it shalbe proved that all sortes

of graynes and victualles are provided from Glouciter and ~ Tewkesbury to serve Bristoll by suche quantities that the same is as good cheape or better in Bristoll (*which* hath also the provision of other sheres adioyninge) then in Glouciter or Tewkesbury, The more vent from places where is plenty of grayne and in tyme of plenty the ritcher<sup>114</sup> becomethe the ploweman, the porer sorte of people, the better kepte in worke and relieved, tillage increased, the Country nourished, and her *majestie* and the common wealthe thereby muche benefited and strengthened ./

17 As certen Creekes in Wales taken from Bristoll became portes of them selves by graunte and a Custome house erected and established at Cardiffe, *which* portes and Custome house hathe accordingly ben longe enioyed as beneficiall to the Countrey and avayleable<sup>116</sup> to her *majestie*, althoughe Bristoll hathe many waies endeavored their uttermost, thempeachinge<sup>117</sup> & overthrowe thereof and of the same graunte, that reason & experyence

<sup>109</sup> This is a slight exaggeration, in that the port of Bristol still encompassed the eight-mile stretch of the Gloucestershire coast as far as Aust and the two miles of the Somerset coast to Portishead, thereby encompassing the Kingroad. The point seems valid, however, in that a vessel coming down the Severn with a favourable wind on an ebbing tide would pass through the jurisdiction of the port of Bristol in little more than an hour. There would thus be little opportunity for search.

<sup>110</sup> For comment on this point, see discussion and notes to Article 8 in 'Gloucester's answer'.

<sup>111</sup> 'unmeete': unmeet – i.e. unsuitable.

<sup>112</sup> 'enioye': enjoy.

<sup>113</sup> The insinuation seems to be that, if grain was cheaper in Bristol than at Gloucester, this could only be because so much grain was being exported illegally that it had driven-up the price in Gloucester.

<sup>114</sup> 'ritcher': richer.

<sup>115</sup> A reference to the 1567 decree, when the Lord Treasurer was William Paulet, Marquess of Winchester (d. 1572) and the Chancellor of the Exchequer / under-treasurer of the Exchequer was Sir Walter Mildmay.

<sup>116</sup> 'avayleable': available.

<sup>117</sup> 'thempeachinge': the impeaching. In this context 'discrediting' is probably meant.



to the porte of *Bristowe* againe As by the same decre more at large appeareth although the same were contemptuously *disobeyed*.<sup>118</sup>

Yf the creekes in wales and upon Severn were seen to as it was heretofore, lether woulde not be so deare, where the cuntry yeldeth so great plentie therof. And Gloucester have made such restraint of their leather that their Shoemakers come to buy leather at *Bristowe* and so both Cities the worse through disorder and negligent restraynt ./

Yf the farmors and Corne merchantes of Gloucester wolde see as narrowly<sup>120</sup> to their officers as the victuellers & Inhabitantes of *Bristowe* / of necessite are ~ constrained to doe the offices woulde be executed both alike / but in and about Gloucester yf the officers doe chaunce to sleepe the farmors and corne merchantes wilbe starcke blynde.<sup>121</sup> Such provysion is made for the purveyor<sup>122</sup> that the incident charges<sup>123</sup> to gather the provysion togeather is very greate. where at *Bristowe* sufficient for one provysion dothe come in at one Springe And a newe supplie was made to serve the Citie *peradventure* ymediately in the same Springe, yf not in the begynnyng of the nexte /<sup>124</sup>

fo. 86v.

*Bristowe* have *with* difficultie obteyned their Cocketes at Gloucester and being obteyned have byn restraynd untill theye might se howe other places shoulde be served.<sup>129</sup> A great chaunge

also proveth the Custome house of Gloucester to be necessary for the Common Wealthe and profitable to her *majestie*/ *Bristoll* hathe no cause to complayne if they so abound of those Comodyties, of leather, Butter, Chese, and other thinges that the borderers upon the Welshe Coaste, *which* heretofore used to serve *Bristoll* doe nowe buy their leather at *Bristoll* where the prices thereof are so reasonable, And it is well knowen that *Bristoll* hathe provision of victualles from those portes in Wales as plentifully as ever they had any tyme heretofore, And that nothing cometh from these portes to Gloucester before the same hathe ben first at *Bristoll* beinge nere unto them / But muche leather is contynually transported from Gloucester to *Bristoll*, Also there are officers in those portes of Wales *which* dothe lett<sup>119</sup> the cariage therof into forreyne Countries, and so lesse daunger & inconvenience of transportinge beyonde the Seas /

18 The officers of *everie* severall porte & Custome house havinge equall authorytie<sup>125</sup> in her *majesties* service are or shoulde be as Carefull in their offices as those of *Bristoll* And doe stande accomptable in the exchequer where they are & maye be corrected as cause requireth,<sup>126</sup> When nede is of provison for the Quenes service in Ireland,<sup>127</sup> upon advertisement to the Justices,<sup>128</sup> suche present order is taken ~ of sufficient provision of grayne and of the caryage thereof to the appointed places, And the Cytie of *Bristoll* yt self also so richely settled by soiles of grayne, that ther is & wilbe allwaies in readynes ~ sufficient provision for that service, What disorder or ~ destruction is wroughte in the Welshe rode, and by whom is answerable by those that it concernethe /

19 Gloucester hathe not restreyned any grayne to come to *Bristoll*, and the Cocket from *Bristoll* hathe ben and is allowed sufficient warrant for any victuallers ~ inhabitinge in *Bristoll* *without* necessitye of travelinge to Gloucester for a Cocket, By the space of theis iiij yeres past there hathe not ben soughte for or taken

<sup>118</sup> 'the same were contemptuously disobeyed'. This implies that the officers of the Port of Cardiff, after it had been made into a member port of Bristol in 1567, had refused to bow to the authority of the officers of Bristol.

<sup>119</sup> 'lett' – i.e. prevent.

<sup>120</sup> 'narrowly' – i.e. carefully or rigorously.

<sup>121</sup> 'starcke blynde': stark blind – i.e. completely blind. The implication is that at Gloucester, if the customs officers were lax, the farmers and corn merchants would turn a 'blind eye' to any illicit lading. This is in supposed contrast to Bristol, where it is implied that victuallers and other locals would keep a check on illicit grain exports, presumably out of a desire to keep food prices low.

<sup>122</sup> 'the purveyor': the man charged with obtaining grain to feed the troops in Ireland.

<sup>123</sup> 'incident charges' – i.e. necessary charges incurred in the performance of a role or duty.

<sup>124</sup> The claim was that the regular supply of grain to Bristol at each 'spring' tide was sufficient to fulfil the purveyor's requirements and that, if he took the whole supply, it would be easy to arrange for the additional needs of the city.

<sup>125</sup> 'authorytie': authority.

<sup>126</sup> Being a head port, the officers of Gloucester would have to account directly to the Exchequer, rather than merely to the officers at Bristol.

<sup>127</sup> 'the Quenes service in Ireland' – i.e. for the English troops campaigning in Ireland.

<sup>128</sup> 'the Justices': Justices of the Peace.

<sup>129</sup> The suggestion was that, even when cockets were obtained, the Gloucester officers could restrain shipment to Bristol if they felt the grain was needed elsewhere.

The officers of *Bristowe* sithence the *lettres* patentes graunted, cannot make cockettes to serve up *Severne*: neither are theye allowed but at their pleasure at *Gloucester*.<sup>130</sup>

And meeter it were that the ease of the victuellers *which* provyde for the whole Citie as Bakers and Brewers should be tendered and respected then the farmors and Corne merchantes of *Gloucester* *which* otherwyse maye send for their Cockettes as heretofore they have done

The trade of merchaundize & shipping of *Bristowe* is hurt and hindered by asmuch as the trade of *Gloucester* is amended by tornyng the Creekes into portes and by having a Custome howse there.

But if no trade of merchandize be therby encreased then was it nedeles to have a Custome howse and to torne their Creekes into portes ./<sup>131</sup>

The Irishemens licences woulde be better perused at *Bristowe* then at *Gloucester* and nevertheles be allowed to provyde their graine at *Gloucester*.<sup>136</sup>

That service into *Irelande* with grayne woulde the serviceable shippes in *Bristowe* be gladd to doe./<sup>139</sup>

from *Gloucester* by the inhabitantes of *Bristoll* foure Cockettes a yere, *which* Cockettes are obteyned *without* any suche difficulte in the Article alledged, But yf there be any abuse in the officers herein they are to ~ answeere thereunto, and the greatest trade in *Tewxbury* is the ladinge of wheate & malte to *Bristoll*, where the same is delivered as good cheape or better then it can be had in *Gloucester* /

20 The like and same trade *which* *Bristoll* men had in tymes, they doe now contynually use and enioye *without* let of any in *Gloucester*, They have the caryage of their owne and their neighbors colored Clothes, of lead, tynne,<sup>132</sup> kerseis,<sup>133</sup> of the Clothes made in *Gloucester* shere and of diverse other Comodyties, they have the trade of wynes, oiles, oad, madder,<sup>134</sup> and all other forreyne Comodyties from forreyne partes as freely as ever they had, and are not interrupted nor hindered, ffor as ~ their navie<sup>135</sup> is not decreased, So is not the navie or Boates in the portes nere *Gloucester* any waye encreased /

21 The Irishe men neither have nor can have any grayne from *Gloucester* *without* lycence, That *which* they have by lycence, hindereth *Bristoll* no more then ~ in tymes past it did, their accesse beinge nowe ~ none other then heretofore, And it is fyttter, theis ~ Irishmen (her majesties pore Subiectes<sup>137</sup> *which* bringeth with them fishe for the provision of *our* Country) should fetche their Corne of suche as doe breede<sup>138</sup> the Comodytie thereof, rather then at *Bristoll* at the second or third hande, to their greater ympoverishment, And yet there have not come above foure Irishe boates since ~ therection of that porte /

22 This Article is before answered in the answeere to the x<sup>th</sup> Article / yf any of theis smale Barkes doe offend against the Lawes, they are to be punyshed And dyvers of the smale barkes of *Gloucester* shere have also of late and heretofore contynually ben ymployed to the service of *Irelande*.<sup>140</sup>

<sup>130</sup> Bristol thus did not deny Gloucester's assertion that cockets issued by the Bristol officers could be recognised at Gloucester. However, it was suggested that such recognition was purely at the discretion of the Gloucester officers and it was claimed that the cockets issued at Bristol for 'up Severn' (i.e. beyond Gloucester) were not recognised at all.

<sup>131</sup> The validity of this argument turns on whether Gloucester was made a head port to encourage the development of its foreign trade, or whether the intention was merely to cut down on smuggling.

<sup>132</sup> 'tynne': tin.

<sup>133</sup> 'kerseis': kerseys – a type of woollen cloth.

<sup>134</sup> 'wynes, oiles, oad, madder': wines, olive oil, woad and madder. Woad and madder are dyestuffs.

<sup>135</sup> 'navie': navy – i.e. merchant marine.

<sup>136</sup> This implies that the Bristol officers would be willing to allow Irishmen to ship grain from Gloucester, having first presented their licences at Bristol – albeit they would then presumably have to take the grain to Bristol for weighing and declaration, as required by the 1543 Act.

<sup>137</sup> 'Subiectes': subjects.

<sup>138</sup> 'breede': breed – i.e. grow.

<sup>139</sup> Bristol asserts that their great 'seviceable' ships (i.e. those of c. 75 tons burden and above) would be happy to be employed in shipping grain to Ireland. This seems unlikely, given that Bristol's great ships rarely engaged in the trade to Ireland during the sixteenth century: Susan Flavin & Evan T. Jones (eds.), *Bristol's Trade with Ireland and the Continent: The Evidence of the Exchequer Customs Accounts* (Dublin, 2009).

<sup>140</sup> Gloucester claims here that its small ships were being employed to supply the English forces in Ireland with grain.

fo. 87r.

This article is alreadye  
answered. /<sup>141</sup>

The suggestions of Leeke<sup>143</sup> were  
untryed<sup>144</sup> for theie were utterly untrue.  
And her *majestie* deceived in that yt  
the necessary Statute of 34<sup>10</sup> of  
Henry the 8.<sup>145</sup> was not mencioned  
or recyted in the preamble of the  
*lettres patentes* ./

Then in vayne and to no purpose  
have theie a Custom howse at Gloucester

And nedeles it was to torne the  
Creekes into portes.

To sende to Bristowe to make their entrie  
or to sende to Gloucester *which* be in manner  
of even distaunce from Gatcomb is a

[23] The purveyors have all waies receyved their provision *without*  
Cockett taken or fees or Customes paid,<sup>142</sup> and lesse charge  
ariseth to her *majestie* by the purveiors beinge at Gloucester ~  
where the Country yeldeth grayne and victuall better  
and more plentifull to serve the necessitie of service  
then at Bristoll that hathe the same at the second hande /

[24-25] Theis articles *which* concerne not the Cytie of Gloucester  
are to be answered by the officers of Cardiff and other  
Creekes and portes in Wales whom it concerneth. /

[26] This the Queenes *majesties* lauffull graunte by her highnes  
*lettres patentes* made unto the maior and Burgesses of the Cytie  
of Gloucester upon their humble sute<sup>146</sup> to her highnes of the porte &  
Creekes in the Ryver of Severn before mencioned to be places  
of Ladinge and discharginge and of ordeyninge a Customer and  
Comptroller<sup>147</sup> properlie belonginge to the same, pased not upon  
suggestion of untried matter, but after greate profe and  
experyence by triall had, that the Creekes aforesaid were more  
aply and truely served for her *majesties* benefytt by the offycers  
from Gloucester, then they wolde be by the officers of Bristoll beinge  
so farr distant from them. The Lorde threasorer of England  
(whose place and office this cause moste properly doth concerne)  
upon the humble sute of the said maior & Burgesses of Gloucester  
and conference first had *with* the Chamberleyne & officers of  
Bristoll in the behalfe of the Cytie of Bristoll, And  
after full hearinge of the reasons and proffes of eche<sup>148</sup>  
*partie*, his *Lordship* *with* greate deliberacion, consideracion and  
vewe by him self in person made of the fytnes of the place  
did for the causes heretofore set donne, and for diverse other  
reasons appoint a Customer at Gloucester accordinge to the tenor  
of the same *lettres patentes* for her *majesties* more availe and better  
service, and for the ease Comodytie and greater furrtherance  
of her highnes Subiectes ./

By force of this graunt the Citie and Citizens of Gloucester  
dothe not, nor cannot use any other or greater trade  
to the Sea, then they did, and mighte lauffully before ~  
have done when they made their entries at Bristoll, neither  
worketh the same her *majesties* graunte any other chaunge or  
alteracion, to or of the Cytie of Bristoll or of their trade  
but only a libertie and ease to the *Queenes* Subjectes of not  
stayinge their shippes and Barkes in the Channell of ~  
Kynge rode at their Comynge home subjecte there to

<sup>141</sup> See Bristol's response to Article 18.

<sup>142</sup> Grain bought for the Crown's service in Ireland did not pay custom, although the goods were entered in the port books. It is noted here that no fees were paid to the customs officers for entering such shipments (as happened with commercial consignments) and that fees were not charged for issuing cockets on such shipments either.

<sup>143</sup> Presumably a reference to John Leek, the customer of Cardiff from 1563-1571: Robinson, 'The establishment of royal customs', pp. 354-63. Following his dismissal from this post, he became a common informer, causing some problems for Bristol: J. M. Vanes, 'The Overseas trade of Bristol in the Sixteenth Century' (PhD Thesis, Univ. of London, 1975), p. 120.

<sup>144</sup> 'untryed': untried – i.e. unproven.

<sup>145</sup> A reference to the 1543 Act. See Bristol's petition, Article 12.

<sup>146</sup> 'sute': suit.

<sup>147</sup> 'comptroller': controller – i.e. a subsidiary customs officer who took an independent record of goods shipped to act as a check on frauds perpetrated by the customer.

<sup>148</sup> 'eche': each.

small difference./<sup>149</sup>

stormes and other daungers all the tyme whiles they ~

fo. 87v.

travell thence to Bristoll, beinge fourtene myles to and from to make their entry,<sup>150</sup> and a benefytt and ease unto them in their goinge out of not stayinge lx myles<sup>151</sup> travell to & fro Bristoll for a Cockett, *which* they maye nowe receyve at the ladinge key of Gloucester, a Custome house beinge there already buylded to the greate charges of the same Cytie<sup>152</sup> Whereby it evidently appeareth that Bristoll hathe no iuste<sup>153</sup> cause of Complaint, neither dothe there by reason of this graunte any of the myscheifes or ~ inconvenyences arise or are any waie like to ensue ~ *which* in the said article are set downe surmysed and alleadged, But on the contrary *parte* by occasion of her *majesties* said graunte, serviceable maryners<sup>154</sup> are ~ mayneteyned, the Comon wealthe of the Countries ~ adioynynge enritched, her *majesties* Customes & other profittes more truely answered *without* either losse or concealement, her Subiectes the owners of theis barkes eased of their travaile and expence, her poore distressed subiectes of Cornewall and of suche other places the better relieved tillage<sup>155</sup> mayneteyned people kepte in worke, and theis Creekes and ventes (for situacion and place properlie belonginge to the Cytie of Gloucester restored agayne, (as necessytye required) to the same Cytie A place worthie thereof, and in antiquitie to be *preffered* before Bristoll, Wherefore the said maior and Burgesses of the said Cytie of Gloucester doe humbly praye the contynuance of the Quenes *majesties* said graunt /

fos. 87v.-89r. [blank]

<sup>149</sup> Bristol's point was that, since ships could not generally sail beyond Gatcombe, merchants would have to travel up from Gatcombe to Gloucester to declare their imported goods and get a cocket issued before any unlading could take place.

<sup>150</sup> This implies that before Gloucester had been made a head port its merchants had not been required to send their inbound goods up to Bristol for declaration. However, they had been forced to anchor in Kingroad while a merchant went up to declare the goods at the customs house in Bristol. A cocket would then have been issued, which could be checked by the searcher of Bristol if required. The cocket was presumably also presented to the 'clerk of the creeks' at Gloucester, who would have been expected to check the goods against the cocket when the merchandise was unloaded.

<sup>151</sup> 'stayinge lx myles' – i.e. delaying 60 miles.

<sup>152</sup> Gloucester's council took the decision to build the customs house on 9 June 1581: Gloucester Archives, BBR/B/3/1 fo. 74v.

<sup>153</sup> 'iuste': just.

<sup>154</sup> 'serviceable maryners' – i.e. mariners fit to serve in the Queen's navy.

<sup>155</sup> 'tillage' – i.e. arable cultivation.

fo 89v.

July 1582

The Aunswere of *the* Maior &c  
of Glocester, to the Complaint  
of *them* of Bristoll<sup>156</sup>

[*Annotation in the hand William Cecil*] <sup>157</sup>

Sir William Wyntar<sup>158</sup>

Thomas Throgmarton<sup>159</sup>

Richard Pates<sup>160</sup>

Thomas Hannam

<sup>156</sup> This is written sideways across the folio. The fold lines suggest this was originally the cover of Gloucester's answer.

<sup>157</sup> These four names are in the hand of William Cecil, Lord Burghley (Lord Treasurer, 1572-1598). They record the names of the four commissioners appointed to investigate the matter, the main business of the commission being conducted in January 1583: TNA:PRO, E 134/25Eliz/Hil3.

<sup>158</sup> Sir William Winter was a noted sea captain and naval administrator who came from Bristol: David Loades, 'Winter, Sir William (c.1525-1589)', *Oxford Dictionary of National Biography* (OUP, 2004).

<sup>159</sup> Presumably Thomas Throckmorton of Tortworth in South Gloucestershire.

<sup>160</sup> Richard Pate was a rich and influential Gloucestershire lawyer, who represented the county as M.P. on a number of occasions: Stephen Wright, 'Pate, Richard (1516-1588)', *Oxford Dictionary of National Biography*, (OUP, 2004); TNA:PRO, E 134/25; Eliz/Hil3; East14.